

2. **LEGISLATION AND EXECUTIVE ORDERS**

A. **Office of Homeland Security (E.O. 13228)**

On October 8, 2001, President George W. Bush signed Executive Order 13228 to establish, within the Executive Office of the President, an Office of Homeland Security to be headed by the Assistant to the President for Homeland Security. The mission of the Office is to develop and coordinate the implementation of a comprehensive national strategy to secure the United States from terrorist threats or attacks.

The functions of the Office include the following: (1) work with executive departments and agencies, state and local governments, and private entities to ensure the adequacy of the national strategy for detecting, preparing for, preventing, protecting against, responding to, and recovering from terrorist threats or attacks within the United States, and periodically review and coordinate revisions to the national strategy as necessary; (2) identify priorities and coordinate efforts for collection and analysis of information within the United States regarding threats of terrorism against the United States and activities of terrorists or terrorist groups within the United States; (3) coordinate national efforts to prepare for and mitigate the consequences of terrorist threats or attacks within the United States; (4) coordinate efforts to prevent terrorist attacks within the United States; (5) coordinate efforts to protect the United States and its critical infrastructure from the consequences of terrorist attacks; and (6) coordinate efforts to respond to and promote recovery from terrorist threats or attacks within the United States.

The Assistant to the President for Homeland Security is the individual primarily responsible for coordinating the domestic response efforts of all departments and agencies in the event of an imminent terrorist threat and during and in the immediate aftermath of a terrorist attack within the United States. He is the principal point of contact for and to the President with respect to coordination of such efforts, and coordinates with the Assistant to the President for National Security Affairs, as appropriate. He, in coordination with the Assistant to the President for National Security Affairs, reviews plans and preparations for ensuring the continuity of the federal government in the event of a terrorist attack that threatens the safety and security of the United States Government or its leadership.

In addition, E.O. 13228 establishes a Homeland Security Council, which is responsible for advising and assisting the President with respect to all aspects of homeland security. The Council serves as the mechanism for ensuring coordination of homeland security-related activities of executive departments and agencies and effective development and implementation of homeland security policies. Among its members are the President, the Vice President, the Secretary of the Treasury, the Secretary of Defense, the Attorney General, the Secretary of Health and Human Services, the Secretary of Transportation, the Director of the Federal Emergency Management Agency, the Director of the Federal Bureau of Investigation, the Director of Central Intelligence, the Assistant to the President for Homeland Security, and such other officers of the executive branch as the President may from time to time designate.

For further information, refer to the Federal Register of October 10, 2001, (66 FR 51812).

B. Global Climate Change Act of 2001 (S.1716)

On November 15, 2001, Senator John F. Kerry introduced, for himself and for Senators Stevens, Hollings, Inouye, and Akaka, Senate bill S.1716, cited as the “Global Climate Change Act of 2001.” This bill is intended to speed national action to address global climate change, and for other purposes. The bill has six titles addressing climate change science and technology policy, greenhouse gas (GHG) measuring and reporting, climate change science and information, climate change technology, climate adaptation and hazards prevention, and ocean and coastal observing system.

Among the provisions of S.1716 are the following:

1. It provides for the establishment of new federal government entities, including: (a) a National Office of Climate Change Action within the Office of Science and Technology Policy to coordinate the development of a U.S. climate change action strategy and the development, integration, and planning of long-range research and development budgets for climate change action in consultation with the Office of Management and Budget; (b) an interagency climate action task force to develop a climate change action strategy for, among other things, substantially reducing U.S. GHG emissions and promoting U.S. research and development of energy efficiency and emissions reductions technologies; and (c) a Science and Technology Assessment Service within the legislative branch.
2. It requires the Director of the National Institute of Standards and Technology (NIST) to develop a comprehensive national measurement and verification system for GHG emissions, and requires the task force to initiate a mandatory GHG emissions reporting system for the industrial, energy-producing, and transportation sectors.
3. It requires the Secretary of Commerce to: (a) establish an atmospheric monitoring and verification program; (b) conduct research on climate variability in the Asia-Pacific sector; (c) initiate a program for development of innovative GHG standards and measurement technologies; (d) establish a technology transfer program for emissions reduction and energy efficiency technologies; and (e) conduct regional coastal vulnerability assessments, develop a national coastal adaptation plan, and provide financial assistance.
4. It amends the National Climate Program Act to, among other things: (a) include methods for guiding national, regional, and local planning and decision-making on land use, water hazards, and related issues; (b) extend funding; and (c) require submission to Congress of a plan of action for the National Climate Service.
5. It authorizes the Director of NIST to conduct a global climate change standards and processes research program. It further authorizes the Director to: (a) hold a portion of the Institute’s competitions in areas designed to develop and commercialize technologies to reduce GHG emissions and concentrations in the atmosphere; and (b) develop a program to support the implementation of “green” manufacturing technologies and techniques, with particular emphasis on improving the energy efficiency of electric motors.

6. It directs the President to: (a) establish within the Department of Commerce a National Climate Vulnerability and Adaptation Program to address regional impacts related to increasing concentrations of GHGs in the atmosphere and climate variability; and (2) establish and maintain an integrated ocean and coastal observing system that provides for long-term, continuous, and real-time observations of the oceans and coasts.

For further information, contact the office of Senator John F. Kerry, SR-304 Russell Senate Office Building, U.S. Senate, Washington, DC 20510-2102, (telephone: (202) 224-2742, electronic mail: john_kerry@kerry.senate.gov).